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MARSHALL & MELHORN, LLC
FOUR SEAGATE - EIGHTH FLOOR
TOLEDO OH 43604

In re Application of
LEOPOLD, Eugen
U.S. Application No.: 10/587,920
PCT No.: PCT/EP2005/000367
Int. Filing Date: 15 January 2005
Priority Date: 05 February 2004
Attorney Docket No.: 1-17498
For: REDUCTION OF BIURET AND
FREE AMMONIA DURING A
METHOD FOR PRODUCING
FERTILIZER GRANULATES
CONTAINING UREA

DECISION ON

PETITION

UNDER 37 CFR 1.181

This is a decision on the petition under 37 CFR 1.181, filed in the United States Patent and Trademark Office on 11 June 2008.

BACKGROUND

On 27 February 2007, the Office mailed Notification of Missing Requirements (Form PCT/DO/EO/905), indicating that an oath or declaration in compliance with 37 CFR 1.497(a)-(b) and the surcharge for late filing of the search fee, examination fee or oath or declaration were required.

On 12 May 2008, the Office mailed Notification of Abandonment (Form PCT/DO/EO/909) indicating that the application went abandoned for failure to timely reply to the Notification of Missing Requirements.

On 11 June 2008, applicants filed a petition under 37 CFR 1.181 to withdraw the holding of abandonment.

DISCUSSION

Applicants claim to have submitted a timely response to the Notification of Missing Requirements and ask that holding of abandonment be withdrawn. To withdraw the holding of abandonment, applicants must provide sufficient evidence of an earlier, timely filing with the Office and a copy of the earlier submission.

Applicants have provided a date-stamped postcard receipt identifying the above captioned application and listing a declaration. Applicants have provided a copy of the declaration they claim to have earlier submitted. The copy of the declaration is accepted as having a receipt date of 05 March 2007.

CONCLUSION

For the above reason, applicants' request to withdraw the holding of abandonment is **GRANTED**.

The Notification of Abandonment (Form PCT/DO/EO/909) mailed 12 May 2008 is **VACATED**.

This application is being forwarded to the National Stage Processing Branch of the Office of PCT Operations for further action consistent with this decision. The application has a 35 USC 371(c)(1), (c)(2) and (c)(4) date of **05 March 2007**.

/Erin P. Thomson/

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